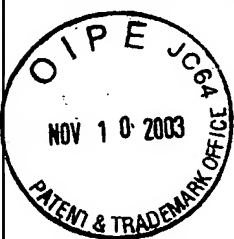


1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2 Serial No. 10/609,329
3 Filing Date Jun 27, 2003
4 Inventorship Batterberry
Applicant Microsoft Corporation
Attorney's Docket No. MS1-1479US
Title: Midstream Determination of Varying Bandwidth Availability



9 **INFORMATION DISCLOSURE STATEMENT**

10 *References -- See Attached Form PTO-1449*

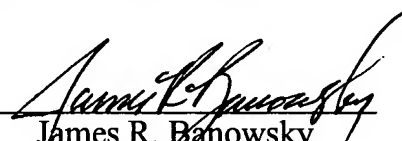
11 **REMARKS**

12
13 The citations listed, copies attached, are submitted in compliance with the
14 duty of disclosure defined in 37 CFR §1.56. The Examiner is requested to make
15 these citations of official record in this application.
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Respectfully Submitted,

Date: 11/10/03

By:


James R. Banowsky
Reg. No. 37,773

NOV 18 2003
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PATENT & TRADEMARK OFFICE
LOS ANGELES

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Application Number	10/609,329
Filing Date	Jun 27, 2003
First Named Inventor	Batterberry
Group Art Unit	
Examiner Name	

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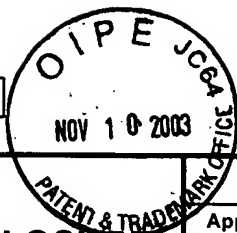
Sheet	1	of	2	Attorney Docket Number	MS1-1479US
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[illegible][illegible]Date
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

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Sheet 2 of 2

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Application Number 10/609,329
Filing Date Jun 27, 2003
First Named Inventor Batterberry
Group Art Unit
Examiner Name
Attorney Docket Number MS1-1479US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		LAI, BAKER, "Measuring Bandwidth", INFOCOM'99. Eighteenth Annual Joint Conference of the IEEE Computer and Communications Societies. IEEE New York, NY, 21-25 March 1999, (1999-03-21) pages 235-245	
		MINSHALL G et al. "Application performance pitfalls and TCP's Nagle algorithm", vol. 27, No. 4, pages 36-44, XP002233094 Performance Evaluation Review, March 2000, ACM	
		HAYES D A et al; "Impact of Flow Control on Quality of service driven packet scheduling disciplines"; Control Applications, 1999. Proceedings of the 1999 IEEE International Conference on Control Applications; Kohala Coast, HI 22 August 1999; pp. 1454-1459	
		NISHIDA Y et al; "Congestion Control Mechanism for TCP with Packet Pair Scheme"; IEICE Transactions on Information and Systems, Institute of Electronics Information and Comm. Engn. Tokyo, JP, vol. E82-D, no. 4, April 1999 pp 854-862	
		"Performance Considerations for TCP/IP in Wide Area Networks", Khalil et al., IEEE, 1994, pgs 166-175.	
		"How a Large ATM MTU Causes Deadlocks in TCP Data Transfers", Moldeklev et al., IEEE/ACM Transactions on Networking, Vol. 3, No. 4, August 1995, pgs 409-422.	
		"A Mathematical Theory of Communication", Shannon, C.E., The Bell System Technical Journal, Vol. 27, pp. 379-423, 623-656, (pgs renumbered as 1-55), July, October, 1948.	
		"TAPI 3.0 Connection and Media Services", Microsoft Windows 2000 Server, Copyright 1999, pgs 1-23.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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